

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL L. SHAKMAN, et al.,)
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Plaintiffs,)
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v.) No. 69 C 2145
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CITY OF CHICAGO, et al.,)
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Defendants.) Judge Wayne R. Andersen
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**ORDER ENFORCING SETTLEMENT AGREEMENT SET
FORTH IN THE SUPPLEMENTAL RELIEF ORDER
WITH RESPECT TO CLAIMANT RICKY COLEMAN, CLAIMANT NO. 1168**

Rickey Coleman (“Mr. Coleman”) is claimant number 1168. Before the Court is Mr. Coleman’s objection to Compliance Administrator (“CA”) Julia M. Nowicki’s determination of his claim filed pursuant to the Supplemental Relief Order (“SRO”). The standard of review applicable to the CA’s determination is abuse of discretion. For the reasons set forth below, Mr. Coleman’s objection is granted, in part, and the CA’s determination is amended to reflect an increase in the award from \$15,500 to \$25,000.

Mr. Coleman filed a claim seeking monetary relief under the terms of the SRO on May 21, 2007. In his claim, Mr. Coleman alleged that because of unlawful political considerations, he was discriminated against, denied overtime pay, and eventually laid-off from his position at the Juvenile Temporary Detention Center (“JTDC”). In reviewing Mr. Coleman’s claim, the CA and her staff considered the documents Mr. Coleman provided to them, his interview and personnel file, co-worker interviews, and JTDC documents.

The CA found Mr. Coleman eligible for recovery under the terms of the SRO and awarded him \$15,500. Under the SRO, damages, when appropriate, were calculated from

August 2004 to August 2008. Until he was laid-off in 2007, Mr. Coleman was one of four floor managers at the JTDC. When Mr. Coleman began the floor manager position, it was classified as a Grade 18, Administrative Assistant IV position. In 2001, the floor manager position was reclassified as a Grade 20 position.

During the course of her investigation, the CA found evidence of tension between the floor managers and their supervisor, Supervisor B, and the JTDC Bureau Chief. The tensions stemmed from the floor managers' positive relationship with the JTDC Superintendent, who had a different political affiliation than the Bureau Chief and Supervisor B. The CA also found evidence that Supervisor B pressured Mr. Coleman to purchase fundraising tickets for former Cook County President John Stroger.

Shortly after the Bureau Chief was appointed as the JTDC Superintendent, he eliminated all four floor manager position under the guise of budget cuts. The CA determined that Mr. Coleman was harmed by his lack of political considerations and that the floor manager positions were eliminated, in part, because of unlawful political considerations by the new JTDC Superintendent.

Mr. Coleman also claimed that he was denied overtime work at the JTDC. The CA requested, but never received, overtime documents from the JTDC. The CA correctly drew a negative inference from the JTDC's failure to produce the overtime documents.

In light of her finding that Mr. Coleman was discriminated against based on unlawful political considerations and the negative inference she drew from the JTDC's failure to produce overtime documents, the CA awarded him \$15,500. The Court finds that \$25,000 better compensates Mr. Coleman for his damages. Therefore, the objection is granted, in part, and the CA's determination is modified to reflect an award of \$25,000 to Mr. Coleman.

The SRO does not provide the CA with authority to award claimants non-monetary relief, or monetary relief for alleged violations that occurred after February 2, 2007. If Mr. Coleman wishes to pursue compensation for a claim related to events that occurred after February 2, 2007, he must file a claim with the Complaint Administrator, Mark Vogel. Claim forms can be found on the Cook County Shakman Compliance Administrator's website at countyshakman.com. Completed claim forms should be mailed to the Complaint Administrator at 69 W. Washington, Suite 1416, Chicago, Illinois, 60602.

It is so ordered.


Wayne R. Andersen
United States District Judge

Dated: April 28, 2009